

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE:	}	CHAPTER 13
	}	
MARK STEPHEN CARPENTER,	}	CASE NO. R19-42032-BEM
	}	
DEBTOR(S)	}	JUDGE ELLIS-MONRO

**MOTION FOR DETERMINATION OF STATUS OF FUNDS**

COMES NOW, the undersigned counsel on behalf of K. Edward Safir, Standing Chapter 13 Trustee in the above-styled matter and files this, Motion for Determination of Status of Funds and respectfully shows the Court the following:

1.

The Debtor filed for relief under Chapter 13 of Title 11 of the United States Code on September 5, 2019. The Debtor's confirmed Chapter 13 plan provides for allowed nonpriority unsecured claims that are not separately classified to be paid a pro rata portion of the funds remaining after disbursements have been made to all other creditors provided for in the plan. The Debtor's unsecured creditors with allowed and filed claims have a remaining balance owed in the approximate amount of \$9,204.09. The Debtor's case has been pending for approximately twenty-five (25) months.

2.

Pursuant to the confirmed plan, the Debtor surrendered collateral at 116 Shawn Lane, Chatsworth, Georgia, 30705, and subject to a lien held by PennyMac Loan Services, LLC [Doc. No. 20].

K. Edward Safir, Chapter 13 Trustee  
285 Peachtree Center Avenue, N.E., Suite 1600  
Atlanta, Georgia 30303  
(404) 525-1110  
sonyab@atlch13tt.com

3.

The Trustee has been informed that a foreclosure sale of the aforementioned property was held.

4.

On or about October 1, 2021, Rubin Lublin LLC forwarded to the Trustee excess proceeds in the amount of \$14,454.29.

5.

Pending an objection and provided there are none either filed or presented orally to the Court, the Trustee specifically requests the approval to disburse the funds pursuant to the terms of the confirmed Chapter 13 plan and for the benefit of the estate.

WHEREFORE, based on the foregoing, the Trustee respectfully moves the Court for an order determining the status of the above-referenced funds and for such further relief as the Court deems just, necessary and proper.

Respectfully submitted this 21<sup>st</sup> day of October, 2021.

/s/  
Sonya Buckley Gordon  
Attorney for the Chapter 13 Trustee  
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee  
285 Peachtree Center Avenue, N.E., Suite 1600  
Atlanta, Georgia 30303  
(404) 525-1110  
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MARK STEPHEN CARPENTER,	}	CASE NO. R19-42032-BEM
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**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that the Chapter 13 Trustee has filed a **Motion for Determination of Status of Funds** and related papers with the Court.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold an initial telephonic hearing for announcements on the **motion** at the following number: toll-free number: **(833) 568-8864**; meeting ID **1608620914**, at **10:00 AM** on **November 17, 2021** in Courtroom **342**, United States Courthouse, 600 East First Street, Rome, GA 30161.

Matters that need to be heard further by the Court may be heard by telephone, by video conference, or in person, either on the date set forth above or on some other day, all as determined by the Court in connection with this initial telephonic hearing. Please review the "Hearing Information" tab on the judge's webpage, which can be found under the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the webpage for this Court, [www.ganb.uscourts.gov](http://www.ganb.uscourts.gov), for more information.

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is Clerk, U. S. Bankruptcy Court, 600 East First Street, Room 339, Rome, GA 30161. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: October 21, 2021

Respectfully submitted,

\_\_\_\_\_  
/s/  
Sonya Buckley Gordon  
Attorney for the Chapter 13 Trustee  
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee  
285 Peachtree Center Avenue, N.E., Suite 1600  
Atlanta, Georgia 30303  
(404) 525-1110  
[sonyab@atlch13tt.com](mailto:sonyab@atlch13tt.com)

R19-42032-BEM

**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

Mark Stephen Carpenter  
419 Cherokee Lane  
Chatsworth, GA 30705

Office of the United States Trustee  
R. Jeneane Treace  
Assistant United States Trustee  
362 Richard Russell Building & U.S. Courthouse  
75 Ted Turner Drive, S.W.  
Atlanta, GA 30303

Rubin Lublin LLC  
3145 Avalon Ridge Place, Suite 100  
Peachtree Corners, GA 30071

and all parties of interest on the attached creditor matrix.

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Saeger & Associates, LLC

This 21<sup>st</sup> day of October, 2021.

\_\_\_\_\_/s/  
Sonya Buckley Gordon  
Attorney for the Chapter 13 Trustee  
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee  
285 Peachtree Center Avenue, N.E., Suite 1600  
Atlanta, Georgia 30303  
(404) 525-1110  
sonyab@atlch13tt.com

Label Matrix for local noticing  
113E-4  
Case 19-42032-bem  
Northern District of Georgia  
Rome  
Tue Oct 19 12:19:27 EDT 2021

Capital One Bank (USA), N.A.  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

Lisa F. Caplan  
Rubin Lublin, LLC  
Suite 100  
3145 Avalon Ridge Place  
Peachtree Corners, GA 30071-1570

Mark Stephen Carpenter  
419 Cherokee Lane  
Chatsworth, GA 30705-5866

Child Support Services  
417 W Crawford St  
Dalton, GA 30720-4267

(p)GEORGIA DEPARTMENT OF REVENUE  
COMPLIANCE DIVISION  
ARCS BANKRUPTCY  
1800 CENTURY BLVD NE SUITE 9100  
ATLANTA GA 30345-3202

Sonya Buckley Gordon  
K. Edward Safir, Standing Chapter 13 Tru  
Suite 1600  
285 Peachtree Center Ave, NE  
Atlanta, GA 30303-1229

Internal Revenue Service  
Central Insolvency Operation  
PO Box 7346  
Philadelphia, PA 19101-7346

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

(p)LENDMARK FINANCIAL SERVICES  
2118 USHER ST  
COVINGTON GA 30014-2434

Midland Credit Management, Inc.  
PO Box 2037  
Warren, MI 48090-2037

PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

PennyMac  
PO Box 514387  
Los Angeles, CA 90051-4387

PennyMac Loan Services, LLC  
P.O. Box 2410  
Moorpark, CA 93020-2410

SFC Central Bankruptcy  
PO Box 1893  
Spartanburg, SC 29304-1893

Dan Saeger  
Saeger & Associates, LLC  
Suite D  
706 S Thornton Ave  
Dalton, GA 30720-8212

K. Edward Safir  
Standing Chapter 13 Trustee  
Suite 1600  
285 Peachtree Center Ave. NE  
Atlanta, GA 30303-1259

Sheena Shields  
107 County Rd 720  
Riceville, TN 37370-5785

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Tea Olive, LLC  
PO BOX 1931  
Burlingame, CA 94011-1931

United States Attorney  
Northern District of Georgia  
75 Ted Turner Drive SW, Suite 600  
Atlanta GA 30303-3309

Verizon  
by American InfoSource as agent  
4515 N Santa Fe Ave  
Oklahoma City, OK 73118-7901

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Georgia Department of Revenue  
1800 Century Blvd NE Ste 9100  
Atlanta, GA 30345-3202

Lendmark Financial Services, LLC  
2118 Usher St  
Covington, GA 30014

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)PennyMac Loan Services, LLC

(u)Tea Olive, LLC

End of Label Matrix	
Mailable recipients	21
Bypassed recipients	2
Total	23